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ABSTRACT

The purpose of this document is to provide an orientation and overview for new state special education advisory panel members regarding their role and functions. This information is a compilation of material and best practices from state special education advisory panels throughout the United States. The manual is intended to assist members of state special education advisory panels in the development and implementation of effective and efficient advisory panels. The first part of the manual provides an overview of the function of the state special education advisory panel under the Individuals with Disabilities Education Act. Information is included pertaining to panel procedures, functions, membership, the role of state special education director, diverse representation requirements, panel by-laws and operating procedures, annual planning meetings, setting priorities, consensus building, representing a stakeholder group, advisory panels as change agents, meetings, public comments, advisory panel involvement with the Office of Special Education Programs, and annual reports. The second part of the manual provides a resource guide that addresses federal regulations, acronyms, membership, by-laws and procedures, setting priorities, agendas, meeting preparation, panel meetings/committees, annual reports, regional resource centers, and training. A brochure on state special education advisory panels for the public or "Public Information Guide" is also included. (CR)

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ED 479 769

# State Special Education Advisory Panels under the Individuals with Disabilities Education Act (IDEA)

Public Information Guide

[and]

An Overview for State Special Education Advisory Panel Members

[and]

Resource Guide

By

John Copenhaver

U.S. DEPARTMENT OF EDUCATION
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# State Special Education Advisory Panels

## Under the Individuals with Disabilities Education Act (IDEA)

# Public Information Guide

April 2003

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*The purpose of this pamphlet is to provide information regarding some commonly asked questions about State Special Education Advisory Panels under The Individuals with Disabilities Education Act (IDEA). The Federal regulations includes the requirement that States establish and support a State Special Education Advisory Panel to advise the State regarding issues impacting the education of children with disabilities. The following pages provide a quick reference to assist individuals with information regarding the purpose and activities involving the special education advisory panel.*

Additional Information may be obtained by contacting

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This information is available in alternative format, including large print, Braille, audio, tapes, or computer diskette.

## ❖ What is purpose of the State Special Education Advisory Panel?

The Individuals with Disabilities Education Act (IDEA) requires that each State establish and maintain an advisory panel for the *purpose of advising the State special education staff regarding the education of all eligible children with disabilities.* This includes advising the State on the education of eligible children with disabilities who have been convicted as adults and incarcerated in adult prisons, even if a State assigns general supervision responsibility for those children to a public agency other than a State Education Agency (SEA).

## ❖ What is the Federal regulation for establishing State Special Education Advisory Panels?

**State Advisory Panel**

**§ 300.650 Establishment of advisory panels**

(a) Each State shall establish and maintain, in accordance with §§ 300.650—300.653, a State advisory panel on the education of children with disabilities.

(b) The advisory panel must be appointed by the Governor any other official authorized under State law to make those appointments.

(c) If a State has an existing advisory panel that can perform the functions in the regulations, the State may modify the existing panel so that it fulfills the requirements instead of establishing a new advisory panel.

(Authority: 20 U.S.C. 1412(a)(21)(A))

## ❖ Are all State Advisory Panels similar?

All States are required to meet the Federal regulations regarding State advisory panels. However, States may also have State regulations which establish panel requirements and responsibilities beyond those outlined in Federal regulation.

Additionally, panels develop by-laws and operational procedures that enable members to adequately carry out their responsibilities and represent the needs of individuals with disabilities in their State.

### ❖ How are panel members appointed?

The advisory panel must be appointed by the Governor or other officials authorized under State law to make those appointments.

### ❖ What is the required membership of the State Advisory Panel?

Panel membership must be composed of individuals who are representative of the State's population and involved in, or concerned with, the education of children with disabilities. *A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities.* Panel membership should include individuals who represent the following areas:

- Parents of children with disabilities;
- Individuals/students with disabilities;
- Teachers;
- Representatives of institutions of higher education that prepare special education and related services personnel;
- State education officials;
- Local education staff;
- Administrators of programs for children with disabilities;
- Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- Representatives of private schools;
- Representatives of public charter schools;
- At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- Representatives from the State juvenile agency; and
- Representatives from adult corrections agencies.
- Others as appropriate.

### ❖ What are the required responsibilities of State Advisory Panels?

Federal regulations define the responsibilities of State Advisory Panels as follows.

1. Advisory panels are to advise the State of unmet needs in the education of children with disabilities;

2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
3. Provide advice to the State staff in developing evaluations and reporting on data to the Secretary of Education;
4. Advise the State in developing corrective action plans to address findings identified in Federal monitoring; and
5. Advise the State in developing and implementing policies relating to the coordination of services for children with disabilities.
6. Review all final due process hearing officer findings and decisions.

### ❖ Are State Advisory Panels required to follow specific procedures?

Federal regulations do not designate a specific number of meetings to be conducted annually by the State Advisory Panel. The regulations do mention that a panel is expected to hold adequate meetings to conduct its business. The law lists the following elements to be included in the panel procedures.

1. The advisory panel must submit an annual report of panel activities and suggestions to the State Education Agency by July 1 of each year. This report must be made available to the public.
2. Official minutes must be kept on all panel meetings.
3. Panel minutes must be available to the public.
4. All advisory panel meetings must be open to the public and agenda items must be publicly announced prior to the meeting.
5. Interpreters and other necessary services must be provided at panel meetings for panel members or participants.
6. The advisory panel members serve without compensation, but the State must reimburse the members for reasonable and necessary expenses for attending meetings and performing duties.

### ❖ What are some recommended activities that strengthen the effectiveness of the State Advisory Panel?

- Developing bylaws and operating procedures.
- Establishing annual priorities

- Providing orientation to new members
- Conducting an annual planning meeting
- Developing an annual report
- Ongoing and annual review of committee achievements

### Do all Panels have established By-Laws?

By-Laws are the procedures which provide guidance to the operation of an organization. States have chosen different terms to use to describe such a document including: guidelines, operating procedures, panel guidelines. Regardless of the chosen term, it is important that panels take the time to develop those rules or guidelines which support the ability to effectively address their responsibilities. Below are common issues found in such documents.

- Panel name and authority
- Purpose of the panel
- Membership guidelines
- Voting procedures
- Agenda development
- Panel meeting norms
- Member roles
- Panel meeting schedule
- Procedures for public input
- SEA roles
- Glossary of terms
- Standing committees
- Panel activities

### ❖ What are basic activities conducted at State Advisory Panel Meetings?

Below are examples of items commonly included on State advisory panel agendas.

- Welcome and introductions
- Approval of agenda and minutes
- Announcements
- Old/new business
- Overview of packet materials
- Report from State director or staff
- Report on State improvement grant
- Report on continuous improvement and focused monitoring activities
- Public comment
- Group or sub-committee reports
- Actions items

- Meeting summary and future agenda items
- Establish next meeting

### ❖ What is the importance of an annual meeting?

An annual or first meeting can serve to provide an opportunity for panel members to review their existing by-laws, operating procedures, and the orientations of panel members. It sets aside a specified time to promote collaboration among the panel members as they identify priorities and develop a yearly plan of action.

### ❖ What is the purpose of an annual report?

The advisory panel is required by Federal regulation to submit an annual report to the State Education Agency. The annual report is an extremely important document. The report outlines advice to the State on the priority areas that were addressed by the panel during the year. This report serves to apprise State officials and the public of the activities conducted by the panel during the year. It delineates those areas of need within a State which are viewed as priorities in the education of children with disabilities. *The report serves to provide advice to the State regarding rules, regulations, and the development of policy needed to support the education of children with disabilities.*

### ❖ What are key components to be included in the annual report?

While annual reports have varied between States in the past, the following elements are common in the development of the document.

1. Preface
2. Cover letter
3. Table of contents
4. Membership
5. Annual priorities and goals
6. Panel advice and recommendations on priority issues
7. Key activities
8. Meeting agendas and minutes
9. Future issues
10. Resource section

The report should be concise, user friendly, and advisory in nature.

## ❖ For More Information

For additional information contact your State Education Agency.

**State Director of Special Education**

Name _____

Phone # _____

e-mail _____

Fax # _____

**Contact for State Advisory Panel Chairperson**

Name _____

Phone # _____

e-mail _____

Fax # _____

# State Special Education Advisory Panels Under the Individuals with Disabilities Education Act (IDEA)

# AN OVERVIEW FOR STATE SPECIAL EDUCATION ADVISORY PANEL MEMBERS

April 2003

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# State Special Education Advisory Panel
# An Overview
## April 2003
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# Introduction

The purpose of this document is to provide an orientation and overview for new State special education advisory panel members regarding their role and functions. This information is a compilation of material and best practices from State special education advisory panels throughout the United States. This manual is intended to assist members of State special education advisory panels and State leaders in the development and implementation of effective and efficient advisory panels.

**The role of the panel members is to advise, not advocate, for an individual position. Advise means to inform, counsel, recommend, suggest, or guide. To advocate means to plead for your case or position, to favor an individual case or argument. The advisory panel is to provide advice, based on facts and good judgement.** The role of State special education advisory panels in shaping services for children with disabilities is critical. In many States, the special education advisory panels have been used as the State steering committee for monitoring and continuous improvement. With the increasing challenges of providing quality education for "all" children with disabilities in the country and the requirements of IDEA, advisory panels are viewed as key stakeholders in efforts to improve educational opportunities for children with disabilities.

The result of the increased responsibility and expectations for State panels has left those who are responsible for panel organization and development faced with many challenges. First, there are very limited resources that provide comprehensive information regarding how States are to organize and develop the effective advisory panels. Second, in light of the increased importance of the State panel's role in the process of advising and guiding State education agencies (SEA), State leaders are searching for successful models and practices.

This resource guide will help to provide information and experiences that have been successful for State panels.

This information is comprised of three separate documents:

1. State Advisory Panel: Quick Reference—*for public awareness.*
2. State Advisory Panel: An Overview—*for panel members.*
3. State Advisory Panel: Resource Guide—*for panel officers and SEA staff.*

This document explains the legal requirements for the State special education advisory panel and also includes "best practices" that might improve the panel's effectiveness in fulfilling their responsibilities.

# Advisory Panel Procedures

The following are general procedures that special education advisory panels should use as they conduct their functions:

1. The advisory panel shall serve without compensation, but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties.
2. Interpreters and other necessary services must be provided at panel meetings for panel members or participants. The State may pay for these services.
3. All advisory panel meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.
4. Official minutes must be kept on all panel meetings and must be made available to the public on request.
5. By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the SEA.

# Advisory Panel Functions

The following are the six primary functions of special education advisory panels as listed in the IDEA regulations:

1. Advise the SEA of unmet needs within the State in the education of children with disabilities.
2. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities.
3. Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act.
4. Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act.
5. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.
6. Advise on eligible students with disabilities in adult prisons. The advisory panel also shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.
7. Review any final due process hearing findings and decisions.

# Advisory Panel Membership

*General.* The membership of the State advisory panel must consist of members appointed by the Governor, or any other official authorized under State law to make these appointments, that is representative of the State population and that is composed of individuals involved in or concerned with the education of children with disabilities, including the following:

1. Parents of children with disabilities
2. Individuals with disabilities
3. Teachers
4. Representatives of institutions of higher education that prepare special education and related services personnel
5. State and local education officials
6. Administrators of programs for children with disabilities
7. Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities
8. Representatives of private schools and public charter schools
9. At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities
10. Representatives from the State juvenile and adult corrections agencies

*Special rule.* A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities.

# Role of State Special Education Director

Although the role of the State special education director in relation to the advisory panel will vary from State to State, generally most directors have the following roles:

1. Provides relevant and current information to panel members.
2. Serves in an Ad hoc capacity—nonvoting member.
3. Assists with the agenda development.
4. Reports on topical issues.
5. Provides a "State to State" report.
6. Supports the panel to carry on their functions.

# Diverse Representation

Increasing the involvement of parents on committees and task forces, particularly those from culturally and linguistically diverse backgrounds, is a frequent challenge for State staff.

Many States make a good faith effort to assemble diverse committees that are representative of the State population and are struggling to attract a more diverse group of parents and service providers to public advisory committees.

There are many factors that may contribute to the challenge that States face when they try to increase diversity of committees or at the public forums including the following:

- In looking for stakeholders to serve on the committees, often the tendency is to seek out directors, chairpersons, or others in leadership positions of various organizations. Because there tend to be fewer people of color in these leadership positions, the pool of possible candidates is automatically going to decrease.

- State departments of education staff often do not reflect the diverse populations of their States. And even with the best of intentions, less diversity on the staff often translates into less cultural and racial awareness. Some staff are not aware of the need to recruit diverse participants. Others have the awareness but haven't received the guidance or training needed to reach out to underrepresented groups. Staff may not have the social or professional contacts and connections to diverse communities.

- Language barriers can be a problem for people whose first language is not English. Promotional materials in English are unlikely to reach them. Even if they do become aware of the activity, they may be less inclined to attend a public meeting, especially if the goal is to have participants voice their opinions.

- The location and time of the activity can be factors in suppressing turnout and participation of a diverse group of parents. Transportation and childcare are also issues to take into account.

- Outreach efforts, however well intentioned, often miss the mark because they are not designed properly.

Here are some suggestions that could help to increase diversity on State committees and at public forums.

1. **Committed leadership:** Success depends upon the leadership within State departments of education. Leadership must commit resources, namely personnel time, toward increasing diversity. It is essential for leaders to hold conversations with staff **before** they begin planning their committee activities. Having diversity on the State committee and at public forums must be a goal from the outset. States also need to try recruiting a diverse staff and provide ongoing professional development to increase awareness of diversity issues.

2. **Go to the people first**: Personally contacting individuals and meeting with them face-to-face is the most effective way to increase participation, and this is possible in recruiting committee members. Convey that your interest in diverse representation is real and for the

long term and not just to fill a quota for this activity. Taking these steps will begin to build the networks and relationships between the department and diverse individuals and groups.

3. **Identify formal and informal leadership within diverse communities:** Community leaders can help identify people who might be candidates for the committee and encourage parents to attend the public forums. Meet and hold conversations with individuals and groups outside of education. Contact community-based organizations such as housing and economic development or human service agencies, neighborhood groups, professional and social associations such as a Latino business group or African American service club, for example, and churches. Bilingual parent advisory councils for districts or bilingual school and community liaisons created by schools may be good people to contact.

# Panel By-Laws and Operating Procedures

One of the key documents used by members is the Panel By-Laws and Operating Procedures. This document may be referred to as the procedural manual, operating guidelines, rules, or panel regulations. Every panel member should have a good understanding of the operating by-laws.

The panel should revisit the by-laws annually to determine if revisions need to be made. The by-laws reflect the existing State and Federal regulations pertaining to the establishment and responsibilities of the State advisory panel. They include information describing how the panel will conduct business and the formal structure of the organization. Additionally, it often serves as part of a comprehensive resource to provide information to the public about the role and responsibilities of a State advisory panel. The issues listed below are suggested contents for the panel's by-laws.

## Possible Content for By-laws

- Panel name
- Panel purpose
- Panel meeting procedures
- Federal regulations regarding panel functions and procedures
- State regulations regarding panel functions and procedures
- Flow chart indicating panel role in the State organizational structure
- Relationship between State organization and advisory panel

- Relationship between the panel and State special education director
- Methods for dissemination of information to the public and constituencies
- Process for an individual to be appointed to the panel
- Panel members — with the name of the stakeholders group they represent
- Membership tenure
- Compensation
- Quorum requirements
- Process for replacing panel member
- Process for resigning from the panel
- Provisions for persons with disabilities (e.g., interpreters)
- Panel leadership and officers—appointment procedures
- Establishment of executive committees
- Membership roles and responsibilities
- Establishing agenda for meetings
- Membership term of office and procedures for appointment to committee
- Method for receiving public comment
- Decision-making process (e.g., consensus, voting...)
- Voting procedures
- Established meeting dates and procedure for adding or canceling meetings
- Procedure for public meeting notice

## Annual Planning Meeting

One of the most useful activities for advisory panels is the annual orientation and planning meeting. Those panels who have annual planning meetings increase their capacity to be effective change agents.

Orientation meetings can be a positive and beneficial experience for new, as well as returning, members of the panel. Most often, this meeting provides responsibilities of panel members and overviews of existing laws and regulations governing the panel. This event can

also provide an opportunity to summarize and report panel activities and initiatives that have been the focus of the panel's past year. Conducting an orientation prior to, and in conjunction with, the annual planning meeting can provide a common level of knowledge for panel members.

**Considerations for the orientation session**

- Welcome, introductions, and warm-up activity
- Discussion of participant's current level of understanding regarding their role on the advisory panel
- Brief historical background of panel's past role and accomplishments
- Review of the panel by-laws
- Federal and State laws and regulations related to the panel
- Update on the current panel activities and involvement
- A discussion of what "advisory" means to panel members
- Explanation of meeting purpose and process (e.g., developing annual priorities)
- Assignment of panel member to serve as a mentor for the new member's first year on the panel
- Discussion of the State director's role in the panel
- Discuss and implement a consensus building process

**NOTE:** Orientation sessions most often are reported to be conducted on the evening or half day prior to the annual meeting day. The length of the sessions varies, with most panels reporting an adequate time period of two hours. Holding the orientation the evening prior to the annual meeting may provide opportunity for new members to review the information received and be more adequately prepared to participate the following day.

# State Special Education Advisory Panel Setting Priorities

Strategic planning and establishing annual priorities are important for any group or organization. Panel members have identified that a shared purpose and function are critical factors in directing the decisions and actions of State special education advisory panels. While each State has its own unique challenges and political structure, there are methods of

building unity and strength in panel membership that will assist an advisory panel in its efforts to provide guidance to the State Educational Agency in serving children with disabilities. Commitment and serious thought should be given in setting priorities for the year. **It is important for a panel not to take on too many projects. It is better to decide on three or four critical issues to address during the year.** To guide the priority setting process, a good strategy is to enlist the services of an outside facilitator. Regional Resource Center staff can provide assistance or suggest qualified individuals in your area. The annual priority setting process can ultimately provide a common ground between the panel membership and set the group in the direction of providing advice that will lead to positive results for children with disabilities.

The "resource section" of this manual provides activities to assist in this process. Below is a listing of considerations that may assist in the planning for this process.

- Conduct a summer meeting to provide orientation for new members. All panel members should attend to foster positive relationships and a team approach.

- At the same meeting, decide on three to four priority issues the panel should address during the year. The priority areas should be selected by utilizing current special education data and State department input.

## Consensus Building

It is recommended that panels and councils use consensus decision-making rather than voting when the committee comes to agreement on decisions. Consensus is a process for decision-making that involves all members, and **the final decision is one that all members can live with and publicly support.** Each State must experiment and design the process that works best for their panel or council.

Members of committees should focus on expressing and addressing each other's interests rather than their own position. This provides a more effective way of making decisions when issues are complex and reaching decisions is difficult. Voting often results in a win/lose proposition that may not provide members with the opportunity to find creative solutions to problems. Decisions arrived at through consensus will often be implemented faster and easier because all stakeholders have agreed to support the decision or not block the decisions adopted by the group.

Consensus is not

- **A unanimous vote**
- **Everyone's first choice**
- **Everyone in agreement**

Consensus is

- **Creative problem solving**
- **Compromise**
- **Win/Win**

Consensus presupposes that members can expect to disagree, have different interests, and will be working to educate their colleagues about their opinions rather than advocating positions.

Common characteristics of consensus decision-making include that all members

- PARTICIPATE.
- Are RESPONSIBLE FOR THE SUCCESS.
- Keep themselves INFORMED.
- Are open to being EDUCATED by each other.
- Share a COMMON UNDERSTANDING.
- CONSIDER MULTIPLE OPTIONS.
- Make decisions by MODIFYING OPTIONS.
- LIVE WITH and PUBLICLY SUPPORT the final decision.

The traditional consensus process allows members to express their objections in a variety of ways, such as the following:

- Support the decision or support with reservations.
- Support with modifications.
- Blocking: "I cannot support this decision."
- Withdrawing: "I cannot support this decision but will not block the group from reaching consensus."

Many committees generally use modified consensus. This means that if the committee is unable to reach consensus on a giving conclusion, the decision is deferred to the State staff to make the decision. This provides incentive for participants to work toward a win/win solution if there is controversy so that they retain the decision-making privilege.

In summary, consensus provides a fair and open problem-solving process that encourages groups to feel their voices are heard. The process prevents certain members from dominating and impacting the decision-making process.

## Representing a Stakeholder Group

One of the most significant contributions that each panel member makes is that of representing a constituency. The role of each panel member is "advisory" not advocacy in nature. The Federal regulations require that specific constituencies be represented by membership on State advisory panels. This requires that the panel consider methods that can facilitate on going communication between panel members and the public. The following three methods can be helpful when reporting successful dissemination of information:

- Public relations brochures to provide information regarding panel membership and activities
- Town or regional public meetings
- Panel awareness for panel members to use when meeting with groups.

**NOTE:** Some State advisory panels use technology for public awareness. Some panels are exploring the effectiveness of using the State Web site for providing information regarding the panel activities.

## Contents of panel public awareness brochures

- Name of panel
- Date of publication
- Panel's purpose and responsibilities
- Meeting dates and case locations
- Public comment procedures
- Listing of membership
- Key individual contacts: phone number, fax, mail, and e-mail addresses
- Highlighted activities or projects

## Presentation packets for use by panel members

- Include a presentation script for members to follow when addressing groups.
- Utilize transparencies and power point.
- Provide copies of brochures or panel information for distribution.
- Provide members with panel business cards.
- Include comment sheets that can be completed by participants. This provides an opportunity for public information to be returned to the panel.

### Regional and town meetings

- Publicize meeting purpose (e.g., public awareness, issue oriented...).
- Conduct in conjunction with other public meetings.
- Establish a procedure for meeting format.
- Keep meetings brief.
- Emphasize that the information received from the field is to be taken to the full panel for consideration — do not attempt to solve issues; your job is to listen.
- Develop a method to respond to public issues (e.g., panel newsletter, written responses, contact individuals to report to a region or group, position papers...).

## Advisory Panels as Change Agents

With the reauthorization of IDEA, State advisory panels are being recognized for their critical roles in the oversight of State Improvement Grants and serving as steering committee members during the Federal monitoring improvement process, as well as their importance in advising for improved services for children with disabilities.

### Variables to Making Systems Change

- Develop a rapport and relationship with the group you are representing.
- Develop a positive working relationship with the State director.
- Approach your work as advisory, not advocacy.
- Keep knowledgeable regarding State and national education issues.
- Request to testify to decision making bodies to provide advice.
- Communicate with and keep open communication among the State board of education members, legislators, State department of education personnel, OSEP staff, parents, and members of disability groups.
- Explore alternatives that will allow you to accomplish the panel's goals.
- Be aware of the advisory panel's position in the State education agency's organizational structure and the established process to promote panel directions within that structure.

- Establish a process that will keep the panel informed of "best educational practices" within the State.

- Allow time at meetings for members to share relevant information from their constituencies in the field.

- Use the Regional Resource Center to develop and coordinate interstate linkages among State advisory panels and to provide information on technical assistance activities.

# State Special Education Panel Meetings

Some of the key factors impacting the success of panel meetings are leadership, attitudes, planning, and development of agendas. The length of meetings should be dictated by the focus or purpose of the meeting. States have reported meeting duration as being in two half-day sessions, full day meetings, and multi-day meetings. Most annual meetings are two-days in length while meetings during the year are one day in duration. It is of primary importance that panel members view their participation and actions as impacting State special education initiatives and programs. Below are strategies to consider when planning panel meetings.

## Considerations for effective meetings

**Prior to meeting**

- Utilize the executive committee or an established ad hoc committee to identify relevant issues to be included as agenda items.

- Receive input from the State director and staff regarding agenda items.

- Provide members with a copy of the agenda and materials with adequate time to read before the meeting date.

- Schedule the meeting room in an area that allows for adequate group interaction.

- The meeting location should be accessible for individuals with disabilities.

- When possible, alternate meeting sites to facilitate traveling arrangements for individuals coming greater distances and allow for public access.

- Help facilitate travel plans for individuals coming long distances.

- A cover letter should identify the meeting purpose and main issues to be discussed.

- Meeting location should have phone and restroom accessibility.
- Provide members with directions to meeting location and parking instructions when needed.
- Use Internet to expand public awareness of meeting dates and agenda.
- Publicly announce the panel meeting and agenda items in accordance with open meeting laws.
- Provide travel and child care compensation for panel members.

## Planning the Meeting Agenda

- Meeting purpose and outcomes should be clearly stated at the beginning of the meeting.
- Give time for follow-up from the previous meeting.
- Provide time for the State director and/or staff to give reports on current issues impacting
the State.
- Allow time for a progress report on the State Improvement Plan and State Improvement Grant.
- Set specified time for each topic and stay within established timeline.
- Indicate on the agenda the type of action to be taken on a given issue.
- Follow the established voting process (e.g., consensus building).
- Follow invited presentations with a short response period.
- Provide time on the agenda for public comment.
- Develop a format for a clear agenda, identify recorder/secretary, and appoint a person (taskmaster) to bring group back on task when needed to refocus the discussion on agenda items.
- Schedule adequate time for sub-committee or group work and reporting.
- Adhere to the agenda timelines.

## Meeting Day Preparations

- Prepare meeting name plates to be used at the tables so that names are clearly visible providing for easy identification by attendees.

- Provide meeting packets or folders for each member. Include a copy of the agenda and any new material not received in the pre-meeting packet.

- Provide needed audio-visual equipment.

- Provide light refreshments and a group lunch.

***Meeting Packets:*** Copy of meeting agenda, relevant documents, reports, or public comments that have been added since the mailing of initial meeting materials.

- At the beginning of each year, provide each member a tabbed three ring binder. Materials from each meeting can be three hole punched and inserted.

- Include expense forms — to be completed by members for reimbursement purposes.

- The panel purpose and outcomes should be referred to and be in written material for all panel members.

# Public Comments–Ground Rules

The following is a general list of guidelines when offering an opportunity for public input at council meetings.

1. Provide notice to the public well in advance of the Interagency Coordinating Council meeting.
2. Specify a consistent time on the agenda for public comment.
3. Set aside around 30 minutes on the agenda for public comments.
4. Limit public comment to no more than five minutes per individual.
5. Public comment can be verbal or sent in written form to be read by the council chairperson.
6. Alert individuals giving public comment to be factual and objective. Avoid using names of students or school staff. Maintain confidentiality and privacy standards.
7. Mention to those providing comments, that their input will be taken under advisement as the council addresses their priority issues.
8. Don't interrupt the speaker during their five minutes. Ask questions or for clarification after they are finished.
9. Provide a verbal or visual clue one minute before their time is up.
10. Provide an opportunity for individuals who can't be physically present to call in on a cost free teleconference line during the 30 minute public comment period.

# Advisory Panel Involvement with OSEP Programs

Never before has there been such an emphasis and support for State advisory panels, promoting the potential role that they can play in shaping the direction of special education and services for children with disabilities. The Federal law-makers have chosen to define in great detail the composition of the State advisory panel in order to ensure that there is representation from constituencies that are concerned with providing educational opportunities that would enable children with disabilities to experience success. This broad representation makes panel members valuable participants in the development process for State Improvement Plans and Grants. The membership also provides a good cross section of public opinion and views that have been recognized as beneficial to States in addressing OSEP's continuous improvement and monitoring process. Below are suggestions for State advisory panel involvement in both processes.

**State Improvement Grant and Plan (SIG and SIP)**

- Understand the focus and goals of the State Improvement Grant.
- Ask for a SIG report and update during panel meetings.
- Provide advice regarding SIG activities.

**OSEP Continuous Improvement and Monitoring Process (CIMP)**

- Be familiar with OSEP's continuous improvement and monitoring process.
- Become a member of the CIMP steering committee.
- Suggest the State education agency report on the progress of the State Improvement Plan.
- Attend public hearings and focus groups.
- Participate in updating the State self-assessment document.
- Assist in developing improvement strategies.
  - Be involved with the State improvement plan discussion with OSEP staff.
  - Suggest improvement strategies.
- Monitor outcomes of the improvement strategies.

# Annual Report

One of the major challenges for State advisory panels is the development of the required annual report. Without planning, the annual report often becomes a hastily completed document that includes copies of meeting agendas, minutes, published State and Federal reports, and miscellaneous "filler" documents.

Annual reports can be meaningful and useful. The following are those elements that can contribute to an attractive and useful document. The information provides a format for the development of an annual report and components found to be helpful in the process. While each State has its own unique needs and political requirements, most often those documents that are clearly organized and easily read become most used.

## Suggested Elements for Panel Annual Reports

1. **Cover letter (brief):** Letter written by State superintendent, director, and/or panel chair providing content information to the public.

2. **Preface:** A brief statement of purpose, followed by a listing of the names and related area/consistency representation of panel members and other relevant State officials.

3. **Table of Contents:** Listing of document sections and page numbers.

4. **Annual Priorities and Goals:** A list of key priority areas addressed by the panel.

5. **List of Membership and Officers.**

6. **Key Activities and Accomplishments:** Brief statement of activities and actions taken by the panel to address annual priorities and goals. Information should reflect panel involvement and responsiveness to State issues and public concerns.

7. **Identified Areas of Concern:** Noted areas where the panel recognizes continued efforts are needed to improve education for children with disabilities in the State.

8. **Panel Advice and Recommendations:** Listing of advise and recommendations to the State Board of Education and State Education Agency.

9. **Future Issues:** A list of identified issues that the panel might address in the future. Many of these issues may result from efforts to implement changes in State or Federal law and meet children's needs in the State.

**NOTE:** In some States, the panel may be required to include the agenda and minutes for each meeting. These materials could also be included in the resource section.

# State Special Education Advisory Panels

## Under the Individuals with Disabilities Education Act (IDEA)

# RESOURCE GUIDE

BEST COPY AVAILABLE

April 2003

# State Special Education Advisory Panel
# RESOURCE GUIDE
# April 2003

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## Introduction

*This Resource Guide is intended to assist members of the State special education advisory panels and State education personnel in the development and implementation of effective special education advisory panels. This document provides pragmatic suggestions, forms, and activities for panels to consider as they develop or refine their panel operations.*

# AUTHORITY
## *Federal Regulations*
## Regarding the State Special Education Advisory Panel

**Listed below are the Federal special education regulations relating to State special education advisory panels.**

**§300.650 Establishment of advisory panels.**

(a) Each State shall establish and maintain, in accordance with §§300.650-300.653, a State advisory panel on the education of children with disabilities.

(b) The advisory panel must be appointed by the Governor or any other official authorized under State law to make those appointments.

(c) If a State has an existing advisory panel that can perform the functions in §300.652, the State may modify the existing panel so that it fulfills all of the requirements of §§300.650-300.653, instead of establishing a new advisory panel.

(Authority: 20 U.S.C. 1412(a)(21)(A))

**§300.651 Membership.**

(a) General. The membership of the State advisory panel must consist of members appointed by the Governor, or any other official authorized under State law to make these appointments, that is representative of the State population and that is composed of individuals involved in, or concerned with the education of children with disabilities, including—

(1) Parents of children with disabilities;

(2) Individuals with disabilities;

(3) Teachers;

(4) Representatives of institutions of higher education that prepare special education and related services personnel;

(5) State and local education officials;

(6) Administrators of programs for children with disabilities;

(7) Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;

(8) Representatives of private schools and public charter schools;

(9) At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and

(10) Representatives from the State juvenile and adult corrections agencies.

(b) Special rule. A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities.

(Authority: 20 U.S.C. 1412(a)(21)(B) and (C))

**§300.652 Advisory panel functions.**

(a) General. The State advisory panel shall—

(1) Advise the SEA of unmet needs within the State in the education of children with disabilities;

(2) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;

(3) Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act;

(4) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act; and

(5) Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

(b) Advising on eligible students with disabilities in adult prisons. The advisory panel also

shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons, even if, consistent with §300.600(d), a State assigns general supervision responsibility for those students to a public agency other than a SEA.

(Authority: 20 U.S.C. 1412(a)(21)(D))

**§300.653 Advisory panel procedures.**

(a) The advisory panel shall meet as often as necessary to conduct its business.

(b) By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the SEA. This report must be made available to the public in a manner consistent with other public reporting requirements of Part B of the Act.

(c) Official minutes must be kept on all panel meetings and must be made available to the public on request.

(d) All advisory panel meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.

(e) Interpreters and other necessary services must be provided at panel meetings for panel members or participants. The State may pay for these services from funds under §300.620.

(f) The advisory panel shall serve without compensation but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties. The State may use funds under §300.620 for this purpose.

(Authority: 20 U.S.C. 1412(a)(21))

§300.509 5 (d)(2) Findings and decisions of due process hearings should be made available to the advisory panel.

## Special Education Acronyms

The following is a list of commonly used special education acronyms that might be helpful for new panel members.

| | |
|---|---|
| ACRES | American Council on Rural Special Education |
| ADA | Americans with Disabilities Act |
| ADD | Attention Deficit Disorder |
| ADHA | Attention Deficit Hyperactive Disorder |
| APE | Adapted Physical Education |
| ASHA | American Speech-Language-Hearing Association |
| AUT | Autism |
| AYP | Annual Yearly Progress |
| BD | Behavior Disorder |
| BIA | Bureau of Indian Affairs |
| CIMP | Continuous Improvement and Monitoring Process |
| CD | Cognitive Delay |
| CEC | Council for Exceptional Children |
| CFR | Code of Federal Regulations |
| CSPD | Comprehensive System of Personnel Development |
| D | Deaf |
| DD | Developmental Disabilities |
| DOE | Department of Education |
| ECSE | Early Childhood Special Education |
| ED | Emotionally Disturbed |
| EDGAR | Education Department General Administrative Regulations |
| EHA | Education of the Handicapped Act |
| ELP | English Language Proficiency |
| ERIC | Educational Resource Information Center |
| ESEA | Elementary and Secondary Education Act |
| ESL | English as a Second Language |
| ESY | Extended School Year |
| FAPE | Free Appropriate Public Education |
| FERPA | Family Educational Rights Privacy Act |
| G/T | Gifted and Talented Education |
| HI | Hearing Impaired |
| IASA | Improving America's Schools Act |
| IDEA | Individuals with Disabilities Education Act (P.L. 105-17), formerly Education of the Handicapped Act (EHA) |
| IEP | Individuals Education Program |
| IFSP | Individual Family Service Plan |
| IHE | Institutions of Higher Education |
| LD | Learning Disabilities |
| LEA | Local Education Agency |

| | |
|---|---|
| LEP | Limited English Proficiency |
| LRE | Least Restrictive Environment |
| MPRRC | Mountain Plains Regional Resource Center |
| NASDSE | National Association of State Directors of Special Education |
| NCLB | No Child Left Behind |
| OCR | Office for Civil Rights |
| OESE | Office of Elementary and Secondary Education (USDOE) |
| OHI | Other Health Impairment |
| OSEP | Office of Special Education Programs (USDOE) |
| OT | Occupational Therapy |
| Part B | Services for School age Children with Disabilities |
| Part C | Services for Children Birth Through Two Years |
| PL | Public Law (Federal) |
| RRC | Regional Resource Center |
| SEA | State Education Agency |
| SPED | Special Education |
| SECTION 504 | The "Nondiscrimination on the basis of disability" portion of the Federal Rehabilitation Act of 1973 (P.L. 93-112) |
| SECTION 619 | Services for Preschool 3–5 Years |
| SIG | State Improvement Grant |
| SIP | State Improvement Plan |
| STO | Short Term Objective |
| TBI | Traumatic Brain Injury |
| TDD | Telecommunications Device for the Deaf |
| TTY | Telecommunication Device for the Deaf (Teletypewriter) |
| VI | Visually Impaired |
| USDOE | United States Department of Education |

# State Special Education Advisory Panel

## Membership Appointment Form

The following is a list of membership requirements for special education advisory panels. The majority of members need to be individuals with disabilities and/or parents of children with disabilities.

| Number in Each Category | Federal Regulation Area | Person with a Disability | Date Term Ends |
|---|---|---|---|
| | Parents of children with disabilities | | |
| | Individuals with disabilities | | |
| | Teachers | | |
| | Representative of institutions of higher education that prepare special education and related services personnel | | |
| | Related services | | |
| | State education official | | |
| | Local education official | | |
| | Administrators of programs for children with disabilities | | |
| | Representatives of other State agencies involved in financing or delivery of related services to children with disabilities | | |
| | Representatives of private schools | | |
| | Representatives of charter schools | | |
| | At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities | | |
| | Representative from State juvenile correction agencies | | |
| | Representative from State adult correction agencies. | | |

**NOTE**: An individual may fill more than one role on the advisory panel. State advisory panels may choose to add individuals representing other constituencies. However, the full panel membership must include those representatives as required by Federal law and meet the "special rule" of majority.

# State Special Education Advisory Panel Membership Demographies

| Panel Member | Address and E-mail | Telephone | Representation | Term Expires |
|---|---|---|---|---|
| Joe Smith | 1536 Fancy St.<br>Bowling, MA 22136<br>jsmith@ma.state.edu | (203) 843-9835 | Parent of child with disability or individual with a disability | June 2003 |
| | | | Parent of child with disability or individual with a disability | |
| | | | Teachers | |
| | | | Teachers | |
| | | | Institutions of Higher Education | |
| | | | Institutions of Higher Education | |
| | | | State education official | |
| | | | State education official | |
| | | | Local education official | |
| | | | Local education official | |
| | | | Administrator of programs for children with disabilities | |
| | | | Administrator of programs for children with disabilities | |
| | | | State agency—financing or delivering of related services | |
| | | | State agency—financing or delivering of related services | |
| | | | Private school | |
| | | | Private school | |
| | | | Charter school | |
| | | | Charter school | |
| | | | Vocational, community, or business organization | |
| | | | Vocational, community, or business organization | |
| | | | State juvenile agency | |
| | | | State juvenile agency | |
| | | | Adult corrections agency | |
| | | | Adult corrections agency | |

## Representing a Stakeholder Group

A critical responsibility of each panel member is to represent their constituency and give as much feedback as possible to that group. Listed below are some techniques to accomplish this responsibility.

**Disseminate advisory panel brochures, include the following information:**

- Name of organization
- Dates
- Purpose and responsibilities
- Meeting dates and locations
- Membership listing with area of representation
- Contacts: phone number, fax, mail, and e-mail addresses where available
- Highlighted activities or projects
- Priority issues being addressed

**Conduct presentation at public meetings**

- Information that is simple and easy to reference
- Presentation script for members to follow when addressing groups
- Transparencies/PowerPoint
- Copies of brochures or panel information for distribution
- List of contact people
- Panel business cards
- Comment sheets that allow for information to be returned to the panel

**Conduct Regional and town meetings**

- Publicize meeting purpose.
- Establish a procedure for meeting format.
- Emphasize that the information received from the field is to be taken to the full panel for consideration—do not attempt to solve issues.
- Develop a method to respond to public issues (e.g., panel newsletter, written response on an individual issue).

**Other activities:**

## Panel By-laws and Operating Procedures

By-laws set the ground rules for the day to day operation of the panel. Listed below are suggestions on what could be included in panel by-laws.

**NOTE**: The following information is provided to give ideas regarding how some sections of by-laws and procedures might be organized. The examples are from State advisory panel documents and are in no way meant to provide the "only" or the "best" way of wording. Rather, they are provided to generate ideas that might be helpful to a panel as they tailor their document to their own specific needs.

1. **Panel Name**
   The name of the Panel shall be the (State) Special Education Advisory Panel. The (State) Advisory Panel exists under the authority of the P.L.Title 34 Code of Federal Regulations.

2. **Purpose**
   The purpose and duties of the State special education advisory panel shall be to advise the State in ways that promote services for children and youth with disabilities. The Panel shall serve as a forum by which issues and benefits regarding current and potential services to individuals with disabilities may be discussed by consumer, public, private, professional, and lay interests.

   *Specific responsibilities include*

   (a) Advise the SEA of unmet needs within the State in the education of children with disabilities;
   (b) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
   (c) Advise the SEA in developing evaluations and reporting on data to the U.S. Secretary of Education as required;
   (d) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act;
   (e) Advise the SEA in developing and implementing polices relating to the coordination of services for children with disabilities; and
   (f) Aid in the recruiting, preparing, and retaining qualified personnel.

   *In order to promote activities that facilitate services for all children, the panel will*

   - Identify annual priorities;
   - Educate the public, educators, and policy makers;
     — promote awareness
     — disseminate information
     — advocate for quality education

- Facilitate dialogue between service providers, the SEA, and institutions of higher education;
- Review and respond to activities/documents produced by the special education department; and
- Receive and offer public comment.

**3. Panel Membership**

Panel membership is established in compliance with Federal and State law. The membership of the panel will consist of members appointed by the Governor or any other official authorized under State law to make these appointments. The panel will be representative of the State population and that is composed of individuals involved in, or concerned with, the education of children with disabilities. *Parents of children and individuals with disabilities shall compose a majority of panel membership.* Panel membership will include representation from the following constituencies.

a. Parents of children with disabilities;
b. Individuals with disabilities;
c. Teachers;
d. Representatives of institutions of higher education that prepare special education and related services personnel;
e. State and local education officials;
f. Administrators of programs for children with disabilities;
g. Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
h. Representatives of private schools and public charter schools;
i. At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and
j. Representatives from the State juvenile and adult corrections agencies.
k. Others, as appropriate.

The State special education director or his/her designee may serve as an ex-officio member of the panel. Consider the appointment of one or more student members who are receiving special education services.

Membership effectiveness is enhanced by

- Personal and/or professional experience with special education programs;
- A knowledge and understanding of special education regulations.
- The capability to gather information from and to report back to organization or constituencies which are involved in the various aspects of the provision of special education services;
- A broad view of the system of special education services;
- The willingness to commit time to actively participate in all special education advisory panel meetings; and
- Willingness to serve in an advisory role.

5. **Term of Office**
State advisory panel members shall be appointed to a term of three years, except when an appointment is to fill an unexpired term. A rotation of members' terms shall occur to retain at least two-thirds of the members each year. Members shall serve no more than two consecutive terms. Any member unable to be in attendance for a regular meeting may send a substitute. A substitute will not be permitted voting privileges. Substitutes shall represent the same constituency as the panel member being replaced.
*Note: In some States, members may appoint substitutes to attend meetings in their place, and substitutes may vote.

6. **Resignation**
Any member may resign at any time by giving written notice to the State superintendent/ commissioner. A resignation shall take effect on the date of the receipt of the notice. Unless otherwise specified in the notice, the acceptance of the resignation shall not be necessary to make it effective.

7. **Vacancy**
Any vacancy in the panel may be filled for the remainder of the unexpired terms by a candidate recommended by the Commissioner. The recommended candidate shall be subject to all by-laws. Any member appointed to complete a vacant term, may, on the recommendations of the executive committee, apply according to State established appointment procedures for an additional full membership term.

8. **Termination of Membership**
Upon recommendation of the executive committee, an appointee to the panel will be removed by the State board if, for some reason, he/she no longer qualifies as an appointee in the category for which he/she was selected. Membership shall terminate for any member who is absent from two consecutive, regular meetings within one year. Termination of membership will be confirmed by a two-thirds vote of the panel. Members who may have their appointment terminated shall be notified in writing by the Chair at least 14 days before the meeting at which the termination vote takes place and shall be given an opportunity prior to the vote to provide information as to why they should not be terminated. A vote to terminate a member's appointment may be appealed in writing to the Commissioner of Education. The Commissioner may request the resignation of any member or remove a panel member upon a two-thirds vote of the panel membership or the commissioner may remove the member if there is just cause. Other causes for removal shall include failure to carry out those responsibilities assumed by acceptance to the panel.

9. **Voting Rights**
Each member shall be entitled to one vote and may cast that vote on each matter submitted to a vote by the panel. Proxy voting and absentee ballots shall not be permitted.

10. **Amendments to the By-laws**
Amendments to the by-laws shall be made as follows: a written proposal shall be submitted to the panel at the regularly constituted meeting. A vote on the proposal shall be taken at the next regular meeting. A two-thirds vote of the members present is necessary for passage of the amendment.

**11. Panel Decisions**

Panel decisions are determined by various processes. The following are a few examples found in State documents:

(a) All decisions of the panel are made only after a vote of a majority of its members in attendance, provided a quorum is in attendance.

(b) Voting shall be done by secret ballot upon request of any member of the panel.

(c) Each member of the panel shall possess one vote excepting ex-officio and ad hoc members who shall be non-voting. If a member is absent, that member may provide a written proxy to the chairperson. The presiding officer shall have a vote only in order to break a tie.

(d) The State special education director/staff is not a voting member.

(e) In the event there is a need to transact specific panel business for which a physical meeting is impractical, the chairperson may call for a vote by mail or telephone.

(f) When the panel is taking official action, a roll call vote will be taken by the recorder. The responses are "yes," "no," or "abstain." Abstain is typically used if there is a conflict of interest, when choosing not to vote, or for approval of past minutes if the member was not present.

(g) Consensus is a decision each person—
— can live with;
— can agree not to sabotage; and
— has an opportunity to voice an opinion about.

A consensus decision is not a unanimous decision or a majority vote. It may not be everyone's first choice. If any participant can not live with a particular decision, he/she has an obligation to State an opinion and prevent the idea from being included as stated.
When entering into a consensus agreement there are ground rules for discussion:

(a) Respect others' ideas and feelings.
2. Participate and give others the opportunity to speak.
3. Be brief.
4. Listen carefully.
5. If you don't understand, ask for clarification.
6. Work for a win/win situation.
7. Seek a decision you can support.

## Voting by Consensus

A technique that has worked quickly and very well is to use three colored cards – green, yellow, and red. When the cards are called for, each member must evaluate the issue at hand and hold up the appropriate card.

- Green card = agree
- Yellow card = I have reservations, but I can live with it
- Red card = No

If all cards are either green or yellow, consensus has been reached. Any person holding a red card will be asked for an explanation and what could be changed to enable that person to hold up either the yellow or green card. If a change or modification is suggested, all participants have another show of cards. This activity will continue until consensus is reached, or if consensus does not appear to be reachable, and it was agreed upon prior to the activity, there will be a roll call vote to establish a majority opinion.

**12. Panel Officers/Terms**

The officers of the panel shall be:

- Chairperson
- Vice chairperson
- Secretary
- Recorder

The officers are to be elected annually at the last regular meeting of the calendar year. The election shall be by a majority vote of the members of the fiscal year. The election shall be by a majority vote of the members present, those present constituting not less than a quorum. The officers' term of office shall commence July 1 of the new year. An officer may serve no more than two consecutive terms in the same position.

Election shall be by secret ballot and shall not occur unless there is a quorum present. Members may request an absentee ballot. This written request must be received by the chair of the nominating committee at least 15 days prior to the election. Sealed absentee ballots must be received by the chair of the nominating committee at least 36 hours prior to the election and shall not be opened until all ballots are counted.

**13. Removal of an Officer**

Any officer of the panel may be removed by a two-thirds vote of all members sitting on the panel whenever, in the judgement of the panel, the best interest of the panel would be served thereby.

**14. Office Vacancy**

A vacancy in any office because of death, resignation, removal, disqualification, or otherwise shall be filled by the panel from existing membership for the unexpired portion of the term.

**15. Chairperson's assigned duties may include the following**:

a) Communicate with the State special education director
b) Preside at panel meetings;
c) Work with members of the executive committee to develop meeting agendas;
d) Coordinate panel activities with the special education staff;
e) Draft correspondence and reports;
f) When appropriate, appoint ad hoc groups to address topical issues. (Note: The chair of the ad hoc working group will be a member of the panel.)
g) The vice chairperson shall perform the duties of the chairperson in the absence of the chairperson and assist the chairperson when necessary. The special education department may provide secretarial support of panel meetings and to support panel activities.

**16. Panel Duties and Responsibilities**

(a) Members shall meet as often as necessary to conduct business.
(b) By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the SEA. This report must be made available to the public in a manner consistent with other public reporting requirements.
(c) Official minutes must be kept on all panel meetings and must be made available to the public on request.
(d) All advisory panel meetings and agenda items must be publicly announced prior to the meeting, and meetings must be open to the public.
(e) Interpreters and other necessary services must be provided at panel meetings for panel members or participants. The State may pay for these services.
(f) The advisory panel shall serve without compensation, but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties.

Panel member duties may also include the following:

- Development of advice/testimony regarding special education rule revisions;
- Development of advice/testimony for State board or any department rule or issue impacting special education programs;
- Development of advice formulated through identification and study of issues vital to special education in the State;
- Development of advice/testimony regarding IDEA, Part B and Part C State eligibility document, Federal regulations and applications; and
- Surveying the constituency the member represents regarding issues before the panel.

## Setting Annual Panel Priorities

Strategic planning and establishing annual priorities are important for any group or organization. Panel members have identified that a shared purpose and function are critical factors in directing the decisions and actions of State special education advisory panels. While each State has its own unique challenges and political structure, there are methods of building unity and strength in panel membership that will assist an advisory panel in its efforts to provide guidance in serving children with disabilities. Commitment and serious thought should be given to the course that will be used to begin strategic planning and setting priorities for the year. To guide the process, leaders have strongly suggested enlisting the services of an outside facilitator. The Regional Resource Center staff can provide assistance or suggest qualified individuals in your area. The annual priority setting process can ultimately provide a common ground between the panel membership and set the group in the direction of providing advice that will lead to positive results for children with disabilities.

Whether a panel is in the developmental stage or whether it has been operating for years, and membership is seeking to increase the effectiveness of its role, commitment to the development of a shared mission are a foundation to a successful future.

Some suggested ideas to establish annual priorities for the panel include

- Conducting a Summer meeting to provide orientation for new members. All panel members should attend to foster positive relationships and a team approach.

- At the same meeting, deciding on three to four priority issues that panel should address during the year. The priority areas should be selected by utilizing current data and State department input.

## Annual Orientation and Planning Meeting

The annual orientation and planning meeting sets the tone for the rest of the year. These are suggestions to ensure the annual planning meeting will be a success.

**Annual Meeting Ideas**

- Conduct election of officers.
- Meet State director and SEA staff.
- Review important State documents.
- Focus on panel functions and procedures.

- Review the panel's role, the composition of its membership, and current procedures.
- Analyze the current panel structure. Determine if any changes need to occur.
- Set annual priorities focused on the panel functions.
- Determine activities and timelines to accomplish the priorities.
- Discuss new initiatives that might be implemented (e.g., a panel newsletter)
- Assign responsibilities to members.
- Discuss additional information which the panel would like to request.
- Set meeting dates and locations for the year.

**New Member Orientation Session**

Provide information on the following items:

- State director and SEA staff
- A brief history of the State advisory panel
- Panel roles and responsibilities
- Panel officers/membership
- Panel by-Laws
- The meaning of "advisory"
- Panel procedures and functions
- Procedures for agenda development
- Overview of panel committees
- Travel compensation
- Brief review of significant panel and State documents
- Discuss consensus building

## Setting Annual Priorities Worksheet

To be effective advisors to the State, panel members must first identify key needs or issues in their State that are creating barriers to the process of improving services for children with disabilities. Once these barriers are identified, members can conduct work sessions where they establish desired outcomes and plan activities that will lead to accomplishing those outcomes. Successful results require a commitment to planning and action. The following worksheet can be used in the planning process.

| Priority Issue | Desired Outcome | Activities/Timelines |
|---|---|---|
| | | |
| | | |
| | | |

## State Advisory Panel
## Action Plan Form

The annual planning meeting provides an opportunity for panels to establish annual priorities and plan activities that will be conducted during the year. This form can be used to outline the panel's action plan for the year.

| RESULT<br>What do we want to have happen? | INDICATOR<br>What evidence will we accept to verify that it has happened? |
|---|---|

**Priority Area:**_____

| RESULTS | ACTIVITIES | INDICATORS |
|---|---|---|
| | | |
| | | |
| | | |

## State Advisory Panel
## Sample Agenda

An agenda that has been planned and relevant is critical for a panel's success. Agenda timelines should be followed.

| Time | Item | Lead | Action/notes |
|---|---|---|---|
| 8:00— 8:15 | Welcome/introductions | | |
| 8:15— 8:20 | Announcements | | |
| 8:20— 8:30 | Meeting purpose/outcomes | | Why are we here? Anticipated meeting outcomes |
| 8:30— 8:35 | Approval of agenda/minutes | | Additions (set time, if appropriate, under new items) |
| 8:35— 8:40 | Review panel materials | | |
| 8:40 — 9:30 | Executive committee report | | |
| 9:30—10:30 | New business | | |
| 10:30— 11:00 | State Improvement Grant—report | | |
| 11:00—11:45 | Continuous Improvement Monitoring—report | | |
| 11:45—12:00 | Public comment session | | |
| 12:00—1:00 | LUNCH | | |
| 1:00— 1:45 | Action items | | |
| 1:45 — 2:15 | Committee updates and written reports | | |
| 2:15—2:45 | State director report | | Report from the SEA on current inititatives |
| 2:45— 4:00 | Subcommittee work | | Subcommittee reports |
| 4:00— 4:30 | Discussion/reaction time | | |
| 4:30— 4:35 | Next meeting | | |
| 4:35 | Adjourn | | |

## Meeting Summary

| | | | |
|---|---|---|---|
| **Panel** | | **Date/Location** | |
| **Chairperson** | | **Recorder** | |

| **Members** — (present at meeting X, absent at meeting left blank) | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

| | **Agenda Items** | **Key Points Discussed** | **Action or follow-up** |
|---|---|---|---|
| 1. | Review agendas and make necessary changes (2 min.) | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |

| **Meeting Review** | |
|---|---|
| Positives Outcomes | |
| Areas for Improvement | |
| | |
| **Next Meeting** | |
| Date/Time: | Key Issues: |
| Location: | Recorder: |

# STATE SPECIAL EDUCATION ADVISORY PANEL
## Meeting Preparation
## Check List

The following is a checklist to help ensure an organized panel meeting.

**Location**_____ **Date**_____

_____ **Facilities** (be sure meeting room(s) and rest rooms are accessible)

_____ **Room Arrangements** (classrooms style, U shape, round, podium, microphone, lighting, food-breaks/ lunch/water on tables, restroom, accessibility, AV equipment, VCR, overhead, etc.)

_____ **Contract Request** Consultants_____Facilities_____Other_____

_____ **Room Reservations**

| | | | |
|---|---|---|---|
| _____ | Panel members | _____ | Membership list |
| _____ | Guests | _____ | Names, addresses, and phone # |
| _____ | Arrange Lunch | _____ | Name tents |
| _____ | Speaker needs (equipment, hand-outs, etc.) | _____ | Expense form |
| _____ | Public notice | _____ | Evaluation/comment sheet |
| _____ | Member notification | _____ | Follow-up on contract requests |
| _____ | Packets | _____ | Supplies to bring to meeting |
| _____ | Agenda | _____ | Folders |

_____ Other_____

## ITEMS

| | |
|---|---|
| _____Name tags | _____Stapler/staples |
| _____Charts | _____Chalk/eraser |
| _____Markers (wide, transparency...) | _____Post-it notes |
| _____Scissors | _____Writing paper/tablet |
| _____Tape-masking, scotch, strapping | _____Pens/pencils |
| _____Extension cord | _____Rubberbands |
| _____Sign-in sheets (name of participants, date, role) | _____Other_____ |

## Panel Meetings

Many State special education advisory panels meet three to four times each year; however, this varies from State to State. Listed below are some general issues regarding panel meetings.

**Meeting Discussion**

The panel will limit discussion to items on the proposed agenda. However, additional items may be submitted by a majority vote of the panel during the acceptance of the agenda at the beginning of each meeting.

**Open Meetings**

All regular and special panel meetings shall be open to the public in accordance with provisions of open meeting laws.

**Attendance**

Members of the panel, having accepted the appointment, shall attend all meetings. Expenses of members of the panel shall be reimbursed in accordance with the law.

**Regular Meetings**

The panel shall set a yearly schedule of meetings with dates and locations.

**Special Meetings**

Special panel meetings may be convened by the panel chairperson or by a majority vote of the panel members (subject to availability of funds).

**Quorum**

Panel voting membership attendance over 50% shall constitute a quorum.

**Parliamentary Procedures**

In matters of parliamentary procedures not otherwise covered by the By-Laws, the provisions of Robert's Rules of Order shall prevail. Informal action may be conducted by a show of hands or a voice vote.

**Meeting Norms**

The panel should observe the following meeting norms:

- Panel members are responsible for reviewing the agenda and materials for each meeting. It is important that all members be well informed in order to represent their constituency and ensure that panel actions are appropriate.
- Members will arrive on time and stay until the meeting is adjourned, except in emergencies.
- Each meeting will start and end on time.
- A quorum shall be constituted by a simple majority of the panel membership and will be necessary for all matters of official business.
- In the absence of the chairperson, the vice-chair shall assume the position of temporary chairperson and shall preside at the meeting.

- Approximately 10 days prior to each scheduled meeting, panel members will receive a meeting agenda and a packet of information pertaining to the meeting.
- Panel discussion will be limited to items on the proposed agenda. Should there be a desire to submit additional items for the agenda, changes to the agenda can be made by a majority vote at the beginning of each meeting.
- The panel will determine the method to be used for making decisions. This may be accomplished by using majority vote and/or parliamentary procedures or *by consensus.*
- All members are encouraged, and will be given an equal chance, to assume various roles. Opportunities for personal growth and professional development are valued.
- The panel will assume responsibility for any oversights or errors in judgement that lead to inappropriate decisions and/or actions by the panel. When identified, said problem will be revisited.
- Panel members support the use of "people first" language.

## Panel Committees

There are several types of committees that have been used by State special education advisory panels:

**Executive Committee**

The executive committee can be comprised of three to five members. The executive committee could include the panel chair, vice-chair, secretary, and two additional members appointed from the panel membership. Responsibilities shall include, but are not limited to, the following. At least one member of the executive committee will be a parent of a child with a disability.

*The Executive Committee shall*

- Meet/consult at least one time prior to each advisory panel meeting to preview proposed agenda items and set forth recommendations for panel consideration.
- Communicate with the State special education director.
- Provide a report (written or verbal) to the membership at each panel meeting.
- Coordinate and assign members to serve on ad hoc committees as needed.
- Represent the panel in matters requiring immediate attention prior to the next scheduled meeting.
- Call additional and/or emergency panel meetings when deemed necessary to perform panel responsibilities.
- Be responsible for ensuring that recommendations for panel membership be forwarded to the State board when a vacancy exists.
- Prepare an advisory panel annual report to the State board of education.

- Provide leadership supporting the panel's efforts to fulfill its responsibility as established by State and federal regulations.
- Assign a panel member to serve as a first year mentor for each new panel appointee.
- Prepare panel correspondence.

The immediate past chairperson shall serve on the executive committee. The duties will be primarily advisory in nature. The immediate past chairperson shall serve as an ex-officio member of the panel in the event that his/her term has expired.

**Standing Committees**

Standing committees will be chaired by members of the panel. Members will be appointed by the panel chairperson in consultation with other members on the executive committee and the State staff. Standing committees will report and make recommendations to the panel.

**Ad Hoc Committees**

Ad Hoc committees can be formed to serve a particular need and to aide the panel in its operation. Membership of these committees shall be appointed by the panel chairperson in consultation with other members on the executive committee and the State staff.

**Committee Areas**

Among the areas most commonly listed for subcommittee work are the following:

- Legislative/public policy
- Recruitment and retention
- State Improvement Grant
- Rules and regulation
- Professional development (CSPD)
- Procedural safeguards
- Parent involvement
- Executive committee
- Membership
- Continuous improvement monitoring process

## Annual Report

The annual report is the most important activity and product of the panel. The report contains the activities and advice of the panel. The following are 10 suggestions for good annual panel reports. The annual report should reflect the important purpose and activities involving the State advisory panel and its efforts to improve special education and services for children with disabilities.

1. **Preface**: A brief statement of purpose followed by a listing of the names and related area/constituency representation of panel members and other relevant State officials.

2. **Cover letter** (brief): Letter written by State director and/or panel chair providing content information to the public.

3. **Table of Contents**: Listing of document sections and page numbers.

4. **List of panel membership.**

5. **Identified Areas of Concern**: Noted areas where the panel recognizes continued efforts are needed to improve education in the State.

6. **Annual Priorities and Goals**: A listing of the key areas of emphasis outlined by the panel in yearly planning.

7. **Key Activities**: Brief statements of activities and actions taken by the panel to address annual priorities and goals. Information should reflect panel involvement and responsiveness to State issues and public concerns.

8. **Panel Advice and Recommendations**: Listing of recommendations to the State and other identified stakeholders.

9. **National and State Initiatives recognized as successful**: Brief statements describing changes in regulations, services, or laws that the panel has identified as benefitting public education in the State.

10. **Future Issues**: A list of identified challenges that the panel will address in the future. Many of these challenges may result from the efforts to implement changes in State or Federal law and meet student needs in the State.

## Annual Report
## Check List

If the answer is "yes" to all of these questions, then the State's annual report will most likely make a difference for children with disabilities.

_____ Is information based up on priority needs identified at the annual meeting?

_____ Does the document reflect a commitment to the purpose and functions of the panel?

_____ Does the report offer advice based on facts and reliable information?

_____ Does the information reflect the panel's role in supporting education for children with special needs?

_____ Does the report provide a "snap shot" of membership involvement and activities conducted throughout the year?

_____ Is the document short, user friendly, and focused on key information?

_____ Is the document formatted in a manner that enables the reader to quickly identify sections, statements, and pages for review?

_____ Is the document free of lengthy State and Federal "filler" documents?

_____ Are tables and graphs relevant and necessary for reporting information to the reader?

_____ Is the document free of "jargon" and undefined "acronyms"?

_____ Has the information been shared with the State director, SEA staff, and key stakeholders.

## Regional Resource Center Directory

The special education advisory panel should use their RRC as a resource for information and technical assistance. These services can be accessed through the State director of special education.

*Invite your RRC representative to attend at least one panel meeting to review technical assistance opportunities available for your State.*

The following is a listing of Regional Resource Centers (RRCs) with a map indicating the States served in each region. The Regional Resource Centers provide technical assistance in special education to State Education Agencies and, through them, school districts and other partners.

**Federal Resource Center (FRC)**
Academy for Educational Development
1875 Connecticut Avenue, N.W., Suite 900
Washington, D.C. 20009
Phone: (202) 884-8215 Fax: (202) 884-8443
Web site: http://www.dssc.org/frc/

**Northeast Regional Resource Center (NERRC)**
Learning Innovations at WestEd
20 Winter Sport Lane
Williston, VT 05495
Phone: (802) 951-8226 Fax: (802) 951-8222
TTY: (802) 951-8213
Web site: http://www.wested.org/nerrc/
Kristin Reedy, Director

*States Served: CT, MA, ME, NH, NJ, NY, RI, VT*

**Mid-South Regional Resource Center (MSRRC)**
Human Development Institute
University of Kentucky
One Quality Street
Lexington, KY 40506-0051
Phone: (859) 257-4921 Fax: (859) 257-4353
Web site: http://www.ihdi.uky.edu/msrrc
Ken Olsen, Director

*States Served: DC, DE, KY, MD, NC, SC, TN, VA, WV*

**Southeast Regional Resource Center (SERRC)**

School of Education
Auburn University Montgomery
P.O. Box 244023
Montgomery, AL 36124-4023
Phone: (334) 244-3661 Fax: (334) 244-3835
TDD Users: (334) 244-3800
Web site: http://edla.aum.edu/serrc/serrc.html
Betty Beale, Director

*States Served: AL, FL, GA, LA, MS, OK, PR, TX, VI*

**Great Lakes Area Regional Resource Center (GLARRC)**
Center for Special Needs Populations
The Ohio State University
700 Ackerman Road, Suite 440
Columbus, OH 43202-1559
Phone: (614) 447-0844 Fax: (614) 447-9043
Web site: http://www.csnp.ohio-State.edu/glarrc/rrc.htm
Larry Magliocca, Director

*States Served: IL, IN, MI, MN, OH, PA, WI, IA, MO*

**Mountain Plains Regional Resource Center (MPRRC)**
1780 N. Research Parkway, Suite 112
North Logan, UT 84341
Phone: (435) 752-0238 Fax: (435) 753-9750
Web site: http://www.usu.edu/mprrc
John Copenhaver, Director
Carol Massanari, Co-Director

*States Served: BIA, CO, AZ, KS, MT, ND, NE, NM, SD, UT, WY*

**Western Regional Resource Center (WRRC)**
1268 University of Oregon
Eugene, OR 97403-1268
Phone: (541) 346-5641 Fax: (541) 346-5639
Web site: http://interact.uoregon.edu/wrrc/wrrc.html
Richard Zeller, Co-Director
Caroline Moore, Co-Director

*States Served: AK, AS, CA, CNMI, FSM, GU, HI, ID, NV, OR, RMI, ROP, WA*

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# Training Overheads

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# Purpose

Provide policy guidance with respect to special education and related services for children with disabilities in the State.

# Key Role

Never before has there been such an emphasis and support for State Advisory Panels promoting the potential role that they can play in shaping the future of special education.

# Special Rule

A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities.

# Membership

- Parents of children with disabilities
- Individuals with disabilities
- Teachers
- Representatives of institutions of higher education
- State and local education officials
- Administrators of programs for children with disabilities
- Representatives of other State agencies
- Representatives of private schools and public charter schools
- At least one representative of a vocational, community, or business organization concerned with the provisions of transition services to children with disabilities
- Representatives from the State juvenile and adult corrections agencies.

# Advisory Panel Procedures

The advisory panel shall serve without compensation, but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties.

# Advisory Panel Procedures

Interpreters and other necessary services must be provided at panel meetings for panel members or participants. The State may pay for these services.

# Advisory Panel Procedures

All advisory panel meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.

# Advisory Panel Procedures

Official minutes must be kept on all panel meetings and must be made available on request.

# Advisory Panel Procedures

By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the SEA.

# Advisory Panel Functions

Advise the SEA of unmet needs within the State in the education of children with disabilities.

# Advisory Panel Functions

Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities.

# Advisory Panel Functions

Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act.

# Advisory Panel Functions

Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act.

# Advisory Panel Functions

Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

# Advisory Panel Functions

Advise on eligible students with disabilities in adult prisons. The advisory panel also shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.

# :Special Education Advisory Panel
# Role of State Director

- Ad hoc member.
- Provides information to panel members.
- Assists in panel agenda development.
- Reports to the panel on topical issues.
- Provides a "State of State" report.

# :Special Education Advisory Panel Effective Practices

- New member orientation
- Annual meeting to set goals and priorities
- Close working relationship with the state director
- Established by-laws for the panel operations
- Meetings at least every two months
- Collaboration agenda building
- Awareness brochures
- User-friendly annual report
- Advisory, not advocacy, in nature

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